

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Wu, J-P et al) Art Unit: 1624
U.S. Appln. No. : To Be Accorded) Examiner: Sudhaker B. PATEL
Confirmation No. : To Be Accorded
U.S. Filing Date : 09/25/2003
Title of Invention : Small Molecules Useful In the Treatment of Inflammatory Disease
Attny. Docket No.: 9/162-2-D1

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

September 25, 2003

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed herein and on the attached PTO-1449 form and which the Examiner may deem relevant to patentability of the claims of the above-identified application. Copies of the citations listed on the PTO-1449 form are filed in US Application No. 10/195,973, filed on July 16, 2002, Wu, J-P et al (Attorney Docket No. 9/162-1-C1) and US Application No. 09/604,312, filed on June 27, 2000, Wu, J-P et al (Attorney Docket No. 9/162).

☒ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

☐ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

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☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,



Philip I. Datlow
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Patent Department
Boehringer Ingelheim Corp.
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Date: September 25, 2003

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 4

Complete if Known

Application Number To Be Accorded
 Filing Date 09/25/2003
 First Named Inventor Jiang-Ping WU
 Art Unit 1624
 Examiner Name Sudhaker B. PATEL
 Attorney Docket Number 9/162-2-D1

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	US-	3,668,217	06/06/1972	Fujinami, et al	
	US-	4,944,791	07/31/1990	Schroeder, et al	
	US-	3,741,981	06/26/1973	Fujinami, et al	
	US-	5,334,606	08/02/1994	MacLeod	
	US-	5,750,553	05/12/1998	Claussner, et al	
	US-	5,464,856	11/07/1995	Cetenko, et al	
	US-	5,208,250	05/04/1993	Cetenko, et al	
	US-	5,306,822	04/26/1994	Cetenko, et al	
	US-	3,846,441	11/05/1974	Mine, et al	
	US-	4,911,748	03/27/1990	Prisbylla	
	US-	4,977,270	12/11/1990	Wee	
	US-	6,492,408	12/2002	Wu, et al	
	US-				
	US-				
	US-				
	US-				
	US-				
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	†
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0 091 596 A1	10/19/1983	Celemerck		
		DE 19 58 183 A1	06/04/1970	Sumitomo		
		DE 19 40 032 A1	03/12/1970	Sumitomo		
		EP 0 545 478 A1	06/09/1993	Merck		
		WO 95 18794 A1	07/13/1995	Roussel		

Examiner Signature /Paul Ward/ (03/04/2008) Date Considered

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Sheet	2	of	4
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Filing Date	09/25/2003
First Named Inventor	Jiang-Ping WU
Art Unit	1624
Examiner Name	Sudhaker B. PATEL
Attorney Docket Number	9/162-2-D1

U. S. PATENT DOCUMENTS

[illegible]

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		Country Code*, Number, & Kind Code* (if known)	MM-DD-YYYY			
		EP 0 343 643 A1	11/29/1989	Warner Lambert		
		DE 21 00 800 A1	07/15/1971	Sumitomo		
		JP 51-88631	08/03/1976	Sumitomo		
		WO 98 39303 A1	09/11/1998	Bi Pharmaceuticals		
		WO 99 11258 A1	03/11/1999	Novartis		

Examiner Signature	/Paul Ward/ (03/04/2008)	Date Considered	
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Transmittal is attached.

Information of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to review) applications. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet	3	of	4
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First Named Inventor	Jiang-Ping WU
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Examiner Name	Sudhaker B. PATEL
Attorney Docket Number	9/162-2-D1

U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	†
		Country Code ² Number ⁴ Kind Code ³ (if known)	MM-DD-YYYY			
		WO 99 49856 A2	10/07/1999	Genentech		
		JP 04,273,877	09/1992	Masumori, et al		
		WO 98 39303	09/1998	Kelly, et al		

Examiner Signature	/Paul Ward/ (03/04/2008)	Date Considered	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 4

Complete If Known

Application Number	To Be Accorded
Filing Date	09/25/2003
First Named Inventor	Jiang-Ping WU
Art Unit	1624
Examiner Name	Sudhaker B. PATEL
Attorney Docket Number	9/162-2-D1

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		TAKAYAMA, et al; "Quantitative Structure-activity Relationships of Antifungal 1-(3,5-Dichlorophenyl)-2,5-pyrrolidinediones and 3-(3,5-Dichlorophenyl)-2,4-oxazolidinediones"; Agric. Biol. Chem. 1982, 46, 2755-8	
		LI, et al; "Examination of the Interrelationship Between Aliphatic Group Dipole moment and Polar Substituent Constants" J. Pharm. Sci. 1984; 73, 553-8	
		HALIM, et al; "[3-[2-(3,5-Dimethylpyrazolyl)] Succinic Anhydride: Synthone for the Synthesis of Some Heterocycles with Potential Pharmaceutical Activity"; Monatshefte fuer Chemie, 1994, 125 1437-1442	
		Database CA on STN, Chemical Abstracts, (Columbus, OH, USA) No. 128:204801, HOLLINSHEAD, S. et al, "Combinatorial process for preparing substituted pyrrolidine libraries", Abstract W/O 98,08813, March 1999	
		Database CA on STN, Chemical Abstracts, (Columbus, OH, USA) No. 124:145896, DREWES, M. et al, "Preparation of 4-(heterocyclo)-2-(sulfonamido) benzonitrile selective herbicides", abstract DE4414588, November 1995	
		MUSZA, L. L., et al, "Potent New Cell Adhesion Inhibitory Compounds from the Root of Trichilia rubra"; Tetrahedron, 1994, 50, 11369-11378	
		BOSCHELLI, D. H., et al; "3-Alkoxybenzo[b]thiophene-2-carboxamides as Inhibitors of Neutrophil-Endothelial Cell Adhesion"; J. Med. Chem. 1994, 37, 717	
		BOSCHELLI, D. H., et al; "Inhibition of E-Selectin-, ICAM-1-, and VCAM-1-Mediated Cell Adhesion by Benzo[b]thiophene-, Benzofuran-, Indole-, and Naphthalene-2-carboxamides: Identification of PD 144795 as an Antinflammatory Agent"; J. Med. Chem., 1995, 38, 4597-4614	
		SANFILIPPO, P. J., et al; "Novel Thiazole Based Heterocycles as Inhibitors of LFA-1/ICAM-1 Mediated Cell Adhesion"; J. Med. Chem. 1995, 38, 1057-1059	

Examiner Signature	/Paul Ward/ (03/04/2008)	Date Considered	
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